GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Home Department – Allegation of corruption of demand and acceptance of bribe against Sri Kolla Venkata Satya Udaya Bhaskara Rao, Asst. Sub-Inspector of Police-149, Spl Branch for Mandals Penugonda, Penumantra and Poduru of West Godavari District – Trapped on 24.03.2016 – Supersession of G.O.Ms No.30, Home (SC.A) Dept dated 14-03-2018 - Sanction for prosecution – Orders-Issued.

HOME (SC.A) DEPARTMENT

G.O.Ms.No.71 **Dated:24.05.2018**

G.O.Ms No.30, Home (SC.A) Dept dated 14-03-2018.

ORDER:-

Whereas, Sri Kolla Venkata Satya Udaya Bhaskara Rao, S/o Sri Venkateswara Rao, worked as Asst. Sub-Inspector of Police-149, Special Branch for Mandals Penugonda, Penumantra and Poduru of West Godavari District from 15-11-2014 to 24.03.2016 and by virtue of the post held by him, falls under the category of public servant as defined under section 2 (c) of Prevention of Corruption Act,1988(Central Act 49 of 1988).

2. And whereas, Sri Thota Nagesh, S/o Krishna Murthy, is a resident of Alamuru, Penumantra Mandal West Godavari District. He obtained a passport on 27.08.2012. He lost the said Passport on 29-02-2016. In this regard he gave a report to the concerned police and obtained non traced certificate of his passport. On 19-03-2016, he submitted an online application to issue duplicate passport and on 20-03-2016 he attended the Passport Seva Office, Vijayawada. On the next day i.e., on 23.03.2016 the Spl Branch A.S.I. Sri Kolla Venkata Satya Udaya Bhaskara Rao called Sri Thota Nagesh over phone and stated that he had to give an amount of Rs.5,000/- to him for sending favourable report. Having no other option, Sri Thota Nagesh agreed to meet his demand.

3. And whereas, Sri Thota Nagesh was not willing to pay the bribe to Sri Kolla Venkata Satya Udaya Bhaskara Rao, he gave a report to the DSP,ACB, Eluru on 24.03.2016. After observing procedural formalities, the DSP registered the said report as a case in Cr. No. 02/RCT-EWG/2016 U/s 7 0f Prevention of Corruption Act,1988 on 24-03-2016 and submitted FIR to concerned and made arrangements for laying the trap.

4. And whereas, during the trap proceedings on 24.03.2016, Sri Kolla Venkata Satya Udaya Bhaskara Rao was successfully trapped near AMC Checkpost, Alamuru, when he further demanded and accepted the bribe amount of Rs.5000/- from Sri Thota Nagesh and passed the said amount to Sri Chilla Suresh for safe custody. The fingers of both hands of Sri Kolla Venkata Satya Udaya Bhaskara Rao were subjected to chemical test separately. The test on the fingers of his right hand yielded positive results. In pursuance of the information given by Sri Kolla Venkata Satya Udaya Bhaskara Rao, the chemical test conducted on the fingers of both the hands of Sri Chilla Suresh yielded positive result and the tainted amount of Rs.5000/- was recovered from his left side shirt pocket. The serial numbers and denomination of the recovered currency notes tallied with the serial numbers and denomination of the currency notes handed over by Sri Thota Nagesh during pre-trap proceedings. The chemical test conducted on the inner linings of the left side shirt pocket of Sri Chilla Suresh yielded positive result. The DSP seized samples of chemicals, resultant solutions, relevant records, tainted amount, shirt of Sri Chilla Suresh and prepared rough sketch of scene of offence.

5. And whereas, the investigation and evidence collected during the investigation disclosed the above acts of Sri Kolla Venkata Satya Udaya Bhaskara Rao, worked as Asst. Sub-Inspector of Police-149, Spl Branch for Mandals Penugonda, Penumantra and Poduru of West Godavari District which constitute offences punishable under sections 7 and 13 (1) (d) read with section 13 (2) of the Prevention of Corruption Act, 1988. (Central Act 49 of 1988).

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri Kolla Venkata Satya Udaya Bhaskara Rao, Asst. Sub-Inspector of Police-149, Spl Branch for Mandals Penugonda, Penumantra and Poduru

(contnd…)

of West Godavari District from service after fully and carefully examining the material (i.e., FIR, Mediators Reports, Statements of witnesses, made up files, explanation of Sri Kolla Venkata Satya Udaya Bhaskara Rao and Final Report of D.G. ACB, etc) placed before them in respect of the said allegations and the circumstances of the case consider that Sri Kolla Venkata Satya Udaya Bhaskara Rao, Asst. Sub-Inspector of Police-149, Spl Branch for Mandals Penugonda, Penumantra and Poduru of West Godavari District should be prosecuted in a Court of Law.

7. Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, (Central Act 49 of 1988) Government hereby accord sanction for the prosecution of Sri Kolla Venkata Satya Udaya Bhaskara Rao, Asst. Sub-Inspector of Police-149, Spl Branch for Mandals Penugonda, Penumantra and Poduru of West Godavari District for the above said offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction in supersession of orders issued vide reference read above.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R.ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau, A.P.Vijayawada.
Copy to
The Law (C) Department.

(C.No.31/SC.A/A2/2017)

HOME (SC.A) DEPARTMENT

(Issued as G.O.Ms No.30, Home (SC.A) Dept dated 14-03-2018)
(From the Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada, Lr.Rc.No.40/RCT-EWG/2016, dated 10-04-2018).

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Please see the letter received from the Director General, Anti Corruption Bureau, A.P., Vijayawada, along with its enclosures at PP Cf.,

The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada, in his Lr dt, 10-04-2018 while enclosing the original copy of the G.O. dated 14-3-28, requested to rectify the following defects.

1) In page 1, Para No.2 of the 5th line after the word duplicate the word "Passport is missing in the sanction order.
2) In page 1, para No.2 at 5th line, online "application" has to be mentioned instead of online "Certificate".
3) In page No.1, para No.3 of the 4th line the Cr.No.2/RCT-EWG/2015 is mentioned in the saction order instead of Cr.No.2/RCT-EWG/2016.
4) In page No.1 para No.4 of the sanction order at 11th line after the word currency notes, the word "were found" is missing

In this connection, it is submitted that the department follows the model prosecution order furnished by the ACB. The above mentioned mistakes are as it

is reflects in the above said GO except the 1st correction and 4th correction as vetted by the Law Dept.

In view of the above position, whether a modification G.O. may be issued with the above corrections as requested by the DG, ACB.

Accordingly, a modification order is put up below for approval.